

EXPOSURE DRAFT PC63 – HISTORIC HERITAGE

Whanganui District Council (WDC) is undergoing a rolling review of the District Plan through a series of Plan Changes.

Plan Change 63 reviews the Historic Heritage section of the District Plan and associated Appendix A – Heritage Items.

The Exposure Draft of the Historic Heritage review has been prepared for stakeholders to consider whether we are heading in the right direction. Feedback on the proposed changes and key issues will help shape the plan before it begins the formal notification and consultation process.

Background

Heritage items may hold significance in various ways and can be scheduled in the District Plan to protect their heritage values. There may be more than one heritage value for each item and can be any of the following:

- Archaeological
- Architectural
- Cultural
- Historic
- Scientific or technological

The historic heritage chapter and accompanying heritage inventory is one aspect of how the Council supports and protects heritage in the district, with varying levels of controls to protect heritage items. The aim of this plan change is to simplify the rules about activities near historic heritage items using best practice principles referenced by the International Council on Monuments and Sites (ICOMOS).

The District Plan contains objectives, policies and rules to identify significant historic heritage items and protect them from inappropriate subdivision, use, and development. This will allow such places to be used appropriately, and encourage their protection, management and conservation. The District Plan contains the Heritage Item mechanism to achieve these protections. Appendix A schedules the heritage places which have been identified as Heritage Items.

In mid 2023, Council invited community nominations to identify heritage items to be considered for assessment and possible inclusion in Appendix A. These additions to Appendix A, along with updated Historic Heritage provisions, will assist in the management and protection of these historic heritage places.

Description of Proposed Plan Change

The District Plan currently has six classes of heritage items – A, B, C, BR, SCA and Contributory. This approach is a legacy of earlier District Plans and successive plan changes where items scheduled in Appendix A were subject to one of five different sets of rules.

Council is proposing a simplified approach with reduction in the number of classes for items scheduled in Appendix A. The reduction in the number of classes requires reassessment and reclassification of items that are currently classified as B, C, BR, SCA or Contributory with controls related specifically to the criteria for which the item was scheduled.

Baseline criteria for the scheduled historic heritage items comprises twelve elements, including the elements of the RMA definition of historic heritage. PC63 proposes to simplify the assessment process and strengthen heritage protection, using six primary assessment criteria to evaluate the significance of heritage places. These criteria incorporate the elements of historic heritage as defined in the RMA though may not follow that format.

National Planning Standards

The National Planning Standards (NPS) set directions in relation to where Historic Heritage and Sites and Areas of Significance to Māori are to sit within the District Plan. Prior to the National Standards implementation, these areas were combined within a heritage chapter, however this plan change proposes to follow the directives of the NPS and therefore relocate matters accordingly.

The National Planning Standards recommend that provisions for archaeological sites sit within the Historic Heritage section. It is proposed that this section remains, and continues to reference Appendix K – Archaeological and Wāhi Tūpuna, but remove some text regarding the background and policy development rationale. There are currently no rules attached to archaeological sites scheduled in Appendix K to control activities, apart from sites within a specified development area. It is proposed that rules pertaining to archaeological sites ensure consistency with provisions contained in the Heritage New Zealand Pouhere Taonga Act 2014.

The current policies and rules referring to one section of the district relate to the recognition of mana whenua relationships with ancestral land, the accidental discovery of wāhi tapu sites, and associated procedures and protocols. Cultural Impact Assessments included in a structure plan make reference to Appendix K – Archaeological and Wāhi Tapu sites.

The rules and standards have relevance across the district and PC63 proposes to widen the scope to all identified archaeological sites across the district.

Inventory of Heritage Items

As part of the review of Appendix A, a number of items that have insufficient information were identified. PC63 proposes to update the information on reports that are deficient in this way. It also proposes amendments, including additions, to the existing schedule of historic heritage in Appendix A – Heritage Items.

Old Town Overlay

The Old Town Overlay (OTO) is a legacy of the original Old Town Conservation Zone and includes rules to control demolition of buildings that have an effect on the streetscape and heritage values of adjoining buildings. The Town Centre Design Guidelines was subsequently implemented which encompassed the Old Town Overlay area, and is a guiding document to promote sympathetic building design in the Commercial Zones.

Objectives and policies of the Commercial Zone define the characteristics of the various town areas.

The underlying commercial zones rules and Town Centre Design Guidelines have generally made the Old Town Overlay redundant and add a layer of complexity for the user of the Plan to navigate. An activity that is moderately controlled by the OTO, but not adequately controlled through the Commercial zone rules is the demolition of unscheduled buildings, therefore, it is proposed that the restricted discretion activities of the commercial zones in this area be extended to include demolition, partial demolition and removal of buildings.

Proposed Provisions

Current Relevant Definitions: (to remain)

Alteration Change in character or composition, typically in a comparatively small but significant way.

Building means a temporary permanent movable physical construction that is:

- a. Partially or fully roofed; and
- b. Fixed or located on or in land;

but excludes any motorised vehicle or other mode of transport that could be moved under its own power.

Development means any use of land involving the erection, alteration, addition, repair, maintenance, or relocation of a building or buildings on a site.

Earthworks means the lateration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts.

Heritage fabric means any physical structure, fixture, fitting, feature, material, or finish which is associated with the heritage item. In relation to the interior of buildings, heritage fabric also includes the dimension of spaces and the relationship between spaces (floor plan). Original heritage fabric is any such physical element which was an integral part of the initial heritage item. Subsequent changes to and additions of such physical elements which contribute to the record of the historic development of the heritage item are also considered to be part of the heritage fabric. This includes the aggregate effect of material weathering and wear due to historic use.

Heritage item means a landscape, place, work, monument, structure or building of historical architectural, archaeological, aesthetic, social, cultural, technical, scientific or natural heritage significance.

Historic heritage has the same meaning as in section 2 of the RMA:

- a. means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:
 - i. archaeological;
 - ii. architectural;
 - iii. cultural;
 - iv. historic;
 - v. scientific;
 - vi. technological; and
- b. includes—
 - i. historic sites, structures, places, and areas; and
 - ii. archaeological sites; and
 - iii. sites of significance to Māori, including wāhi tapu; and
 - iv. surroundings associated with the natural and physical resources.

Minor Works and Maintenance:

- a. Cleaning or washing with materials or techniques not detrimental to the heritage fabric.
- b. General maintenance and/or minor repair where minor repair means the repair of materials by patching, piecing-in, splicing and consolidating existing materials and including minor replacement of minor components such as individual bricks, cut stone, timber sections, tiles and slates where these have been damaged beyond reasonable repair or are missing. The replacement should be of the original or similar material, colour, texture, form and design as the original it replaces and the number of components replaced should be substantially less than the existing.
- c. Repainting and revarnishing of surfaces. The application of other finishes provided that the materials used are similar to the existing or earlier finishes.
- d. Activities that have an insignificant effect on the heritage fabric of the item, for example hanging planter pots, or the installation and refurbishment of services where the work does not affect significant fittings or features.
- e. Replanting of existing landscape features.

Structure: has the same meaning as in section 2 of the RMA – means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.

Proposed Additional/Amended Definitions:

Cultural heritage significance means the cultural heritage value of a place relative to other similar or comparable places, recognising the particular cultural context of the place.

Cultural heritage value means possessing aesthetic, archaeological, architectural, commemorative, functional, historical, landscape, monumental, scientific, social, spiritual, symbolic, technological, traditional or other tangible or intangible values, associated with human activity.

Heritage Conservation means all the processes of recording, understanding, and caring for a place so as to safeguard its cultural heritage value including consideration of the existing fabric, associations, meanings, and use of the place. It requires a cautious approach of doing as much work as necessary but as little as possible, and retaining authenticity and integrity

Heritage Conservation Plan means an objective report which documents the history, fabric, and cultural heritage value of a place, assesses its cultural heritage significance, describes the condition of the place, and makes comprehensive recommendations for the conservation of the place.

Integrity means the wholeness or intactness of a place, including its meaning and sense of place, and all the tangible and intangible attributes and elements necessary to express its cultural heritage value.

Maintenance and Repair means regular and on-going protective care of a place to prevent deterioration and to retain its cultural heritage value. To make good any decayed or damaged heritage fabric using identical, closely similar, or otherwise appropriate material.

Place means any land having cultural heritage value in New Zealand, including areas; cultural landscapes; buildings, structures, and monuments; groups of buildings, structures or monuments; gardens and plantings; archaeological sites and features; traditional sites; sacred places; townscapes and streetscapes; and settlements. Place may also include land covered by water, and any body of water. Place includes the setting of any such place.

Reconstruction means to build again as closely as possible to a documented earlier form, using new materials.

Recording means the process of capturing information and creating an archival record of the fabric and setting of a place, including its configuration, condition, use, and change over time.

Setting means the area around and/or adjacent to a place of cultural heritage value that is integral to its function, meaning, and relationships. Setting includes the structures, outbuildings, features, gardens, curtilage, airspace, and accessways forming the spatial context of the place or used in association with the place. Setting also includes cultural landscapes, townscapes, and streetscapes; perspectives, views, and viewshafts to and from a place; and relationships with other places which contribute to the cultural heritage value of the place. Setting may extend beyond the area defined by legal title and may include a buffer zone necessary for the long-term protection of the cultural heritage value of the place.

HH – Historic Heritage

The term historic heritage is generally applied to things that have cultural heritage significance to people and communities. Heritage is regarded as our 'inheritance' from the past. While there is a particular emphasis on buildings, structures and objects that have architectural, archaeological, historical or cultural value, heritage items include areas, or places which have aesthetic, social, spiritual, scientific, technological, or traditional significance or value, or public esteem.

Whanganui's heritage resource helps to define the relationship between people and place, the past, present and future. It gives a sense of place, character and community identity and dignity and often plays a fundamental role in the cultural, economic and social wellbeing of the community.

Built heritage items are prioritised for protection as follows:

Class A – High values at an international or national level, is ranked highly in a number of heritage areas and has high integrity or has very significant values in at least one heritage value. Afforded the highest level of protection.

Class B – At a regional or local level it has several high heritage values and/or has good integrity. Afforded a high level of protection.

The Whanganui town centre has a concentration of heritage buildings. These buildings make a significant contribution to the economic success of the town centre, based on their amenity value, creating attractive and welcoming urban spaces and streetscape. The bulk of these buildings are un-reinforced masonry or poorly reinforced concrete and while some have been strengthened, many are at high risk from damage or loss from earthquake.

In addition to the direct value and contribution of individual heritage buildings is the contribution of the spaces and places around buildings, including associated buildings. This is a form of cumulative effect, and changes in the surroundings of a building can also lead to potentially negative cumulative effects. Buildings losses need to be carefully considered, as do replacements buildings to protect amenity and cultural values.

Historic heritage is dynamic and perceptions and values change over time. The heritage resource therefore needs to be monitored and managed to ensure it remains relevant.

Archaeology

The land in the District has been home to various peoples for about seven centuries. This has resulted in the accumulation of many physical remnants which are of cultural, scientific and general interest. These remnants help us to understand our history. Remnants sites are defined as archaeological if they are associated with human activity that occurred before 1900.

Archaeological sites are recorded and mapped in the District Plan with an un-dimensioned symbol. For the purposes of protection a precautionary alert buffer will be applied around each site. This is because in the immediate vicinity of a site the likelihood of further finds is

high. The buffer area acts as a caution to proceed with care when undertaking any ground disturbance activity. Where an activity lies outside any buffer area but is in the vicinity of several sites, caution should be exercised.

The District Plan information is not exhaustive and the obligations of the Heritage New Zealand Pouhere Taonga Act 2014 apply regardless of, and in addition to, information or regulation contained in the Plan.

Issues

- HH-I1** Loss of heritage resource resulting from inappropriate development without adequate regard to historic heritage.
- HH-I2** Inadequate identification of heritage values.
- HH-I3** Loss of heritage values because of economic constraints.
- HH-I4** Climate change and natural disaster impacts on heritage items.
- HH-I5** Loss of heritage values through change of use, lack of use or neglect.

Objectives

- HH-O1** Recognise, protect and enhance the historic heritage resource of the whole District. (P1, P3, P4)
- HH-O2** Identify, classify and schedule heritage items for protection appropriately. (P1, P3)
- HH-O3** Ensure that historic heritage values and resources are sustainably managed. (P8, P9, P10)
- HH-O4** Manage inappropriate subdivision, use and development to ensure that adverse effects on heritage values are avoided, remedied or mitigated. (P4, P5, P6, P7, P11)
- HH-O5** Identify known archaeological resources and avoid or manage activities that may modify or destroy that resource, including activities close to the identified site. (P11, P12, P13)
- HH-O6** Provide information to the community to guide the protection and retention of archaeological resources and raise awareness of accidental discovery protocols. (P2)
- HH-O7** Recognise and provide for the relationship of tangata whenua with their ancestral lands. (P14)
- HH-O8** Protect recorded and discovered wāhi tapu and other archaeological sites from activities (including earthworks, road building and the construction of buildings) that have the potential to adversely affect the cultural, spiritual and historic heritage values of those wāhi tapu and other sites. (P13, P15)

Policies

HH-P1 Maintain and update the historic heritage appendices in the Plan and accompanying database, in an appropriate format.

HH-P2 Encourage Heritage Conservation and protection by property owners of identified historic heritage resources of the Whanganui District.

HH-P3 Classify heritage items as Class A or Class B as follows:

Class A - high values at an international or national level, ranked highly in a number of heritage values, has high integrity or has very significant values in at least one heritage value.

Class B - several high values at a regional or local level and/or has good integrity, and/or has contributory values.

HH-P4 Protect the historic heritage resource from inappropriate subdivision, use and development, and ensuring that:

1. Retention is preferred over demolition for all recorded heritage items and areas.
2. Demolition of Class A and B items or areas shall be considered as a last resort when all feasible options and alternatives have been considered and that it can be demonstrated that it is unsustainable to retain the heritage item or area.
3. Class A and B items shall not be relocated unless it can be demonstrated that the relocation of the item is the only sustainable means of retaining the item or that the relocation has a positive effect on the integrity of the item or area.
4. Rely on international best practice principles to ensure that decisions with regards to heritage management are undertaken in accordance with the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (Revised 2010).
5. The relationship of the heritage item to its Place and locality is retained.
6. Provide an adequate setting for the heritage item in the subdivided lot.
7. Retain any functional relationships, visual catchments and viewshafts.

HH-P5 Ensure when alterations and additions to historic heritage items are undertaken that adverse effects on the heritage items are avoided, remedied or mitigated.

HH-P6 Ensure, where interiors are scheduled for protection, that adverse effects of interior alterations and additions are avoided, remedied or mitigated.

HH-P7 Enable the adaptive reuse of heritage items provided the adverse effects of the activity on heritage values and the surrounding environment can be avoided, remedied or mitigated.

HH-P8 Enable and facilitate the retention of heritage items and groups at risk from natural hazards.

HH-P9 If a heritage item is completely or largely destroyed, and its heritage value is lost, replacement or replication is not required or expected.

HH-P10 If a heritage item is damaged, reconstruction components may be of different materials, but should be of similar appearance.

HH-P11 Ensure subdivision, infrastructure and earthworks recognise and provide for the identification and protection of historic heritage, including archaeological sites.

Archaeological Sites

HH-P12 Enable the sustainable management of the archaeological resources by considering:

1. Unique qualities of the site/s or area.
2. Representative nature of the site/s or area (i.e. the best example of a particular site type).
3. Condition.
4. Tradition/historic association
5. Alternate methods and locations available to carry out the proposed activity or works.
6. The nature, form and extent of the proposed activity and the likelihood and extent of damage to the site/sites or area taking into account the extent to which there has already been earthworks or damage.
7. The findings of an archaeological assessment carried out by a suitably qualified archaeologist and the extent to which adverse effects can be avoided, remedied or mitigated.

HH-P13 To enable development in the site-specific buffer area identified around each archaeological site/s or area in {Link,9991,Appendix K}, only where no adverse effect on the archaeological site/s or area will result.

HH-P14 Recognise and provide for the relationship of tangata whenua with wāhi tapu and archaeological sites recorded.

HH-P15 Implement Accidental Archaeological Discovery Protocols of wāhi tapu or archaeological sites.

Note: An Archaeological Authority must be obtained from Heritage New Zealand prior to any earthworks that may damage, modify or destroy an archaeological item.

Note: Council will hold a register of cultural impact assessments and archaeological assessments. Where an assessment has been previously received by Council for any site, a further report will, at Council's discretion not generally be required.

Rules - Class A Heritage Items

The following rules apply to Class A Heritage items scheduled in Appendix A – Heritage Items

HH – CA - CLASS A - HERITAGE ITEMS

<p>HH-CA-R1</p>	<ol style="list-style-type: none"> 1. Minor Works and Maintenance. 2. Interior structural works associated with earthquake strengthening, fire protection, accessibility upgrades, alterations and/or additions provided that: <ol style="list-style-type: none"> a. The works are not in a building scheduled for interior values in Appendix A – Heritage Items b. The works do not change or alter the external physical footprint or appearance of the building. 	<p>Permitted (PER)</p>
<p>HH-CA-R2</p>	<ol style="list-style-type: none"> 1. Maintenance and Repairs that do not comply with the meaning of Minor Works and Maintenance. Council’s discretion is restricted to: <ol style="list-style-type: none"> a. Works affecting the identified heritage values in Appendix A – Heritage Items b. The area of works that fails to comply with the meaning of Minor Works and Maintenance. 2. Interior structural works associated with earthquake strengthening, fire protection, accessibility upgrades, interior alterations and/or additions in a building scheduled for interior values in Appendix A – Heritage Items. Council’s discretion is restricted to the: <ol style="list-style-type: none"> a. Works affecting the identified heritage values in Appendix A – Heritage Items b. Content of any Heritage Conservation Plan. c. Degree of alteration to existing floor plans and dimensions. d. Extent of the loss of integrity of heritage fabric in primary spaces such as foyers, lobbies, stairs and corridors. e. Degree of alteration to significant architectural features and finishes including skirtings, paneling, doors, picture rails, pressed metal ceilings, woodwork and wallpaper. 	<p>Restricted Discretionary (RDIS)</p>
<p>HH-CA-R3</p>	<ol style="list-style-type: none"> 1. Alterations or additions that affect the exterior of the building. <p>Consideration will include:</p>	<p>Discretionary (DIS)</p>

	<ul style="list-style-type: none"> a. The extent to which the heritage values including the design of any buildings and the context of heritage are likely to be retained, protected and / or enhanced. b. Whether the activity is likely to have cumulative adverse effects on heritage values. c. In the case of relocation of a heritage building, measures that may be necessary to protect the fabric of the building during relocation. d. Potential for the re-use and/or recycling of any material or heritage features from the historic building. e. Consideration of any relevant Whanganui District Council design guidelines. f. The extent and effect of any earthworks, tunnelling, digging, vibration or excavation that may destabilise the item, structure, place or area. g. The results of any consultation undertaken including any written advice obtained as follows: <ul style="list-style-type: none"> i. In the case of the site having identified tangata whenua values, comment from the relevant iwi. ii. Any recommendations of Heritage New Zealand Pouhere Taonga, and the New Zealand Archaeological Association File Keeper. iii. Where the site history indicates that there may be historical artefacts or other physical remains, any advice obtained from a suitably qualified and experienced archaeologist. <p>Note: All advice obtained is to be provided to the Council with the resource consent application.</p> h. The reasons for the proposed activity and reasons why the alternative less adverse options for achieving the same or similar outcome have been discounted. For clarification, reasons for discounting alternative options can include amongst other matters financial cost, natural hazards, safety and technical feasibility. i. The creation and upkeep of a recording of heritage features of the building in its original Place (eg. photos of existing vistas for public record of the history of the Place). j. Any proposals to strengthen integrity and heritage value of the building, including the benefits of alterations for the purpose of implementing Building Code upgrades for seismic, fire and access purposes. k. Any proposals to strengthen or replace high risk elements, such as parapets, façade decoration and chimneys, with high quality light-weight material. l. The extent to which the proposed alterations, additions to or demolition of a scheduled heritage building have been informed by the advice of qualified professionals such as conservation architects, heritage consultants, engineers and quantity surveyors as appropriate. Such advice should include a thorough analysis of the 	
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	alternative options available and the extent of professional advice obtained and should be proportional to the scale and intensity of the effects of the works being undertaken.	
HH-CA-R4	<p>1. Demolition, partial demolition, relocation, defacing, destroying or dismantling of a heritage item or a component of a heritage item, or relocation of a Class A inventory item.</p> <p>Notes:</p> <p>1. Non-complying activities will generally be publicly notified.</p>	Non-Complying (NC)

Rules - Class B Heritage Items

The following rules apply to Class B Heritage items scheduled in Appendix A – Heritage Items

HH – CB - CLASS B - HERITAGE ITEMS

HH-CB-R1	<p>1. Minor Works and Maintenance.</p> <p>2. Interior structural works associated with earthquake strengthening, fire protection, accessibility upgrades, alterations and/or additions provided that:</p> <p>a. The works are not in a building scheduled for interior values in Appendix A – Heritage Items.</p> <p>b. The works do not change or alter the external physical footprint or appearance of the building.</p> <p>3. Works that do not impact on the heritage values as identified in the Scheduling Reports in Appendix A – Heritage Items.</p>	Permitted (PER)
HH-CB-R2	<p>1. Maintenance and Repairs that do not comply with the meaning of Minor Works and Maintenance.</p> <p>Council’s discretion is restricted to:</p> <p>a. Works affecting the identified heritage values in Appendix A – Heritage Items</p> <p>b. The area of works that fails to comply with the meaning of minor works and maintenance.</p> <p>2. Interior structural works associated with earthquake strengthening, fire protection, accessibility upgrades, interior alterations and/or additions in a building scheduled for interior values in Appendix A – Heritage Items.</p> <p>Council’s discretion is restricted to:</p> <p>a. Works affecting the identified heritage values in Appendix A – Heritage Items</p>	Restricted Discretionary (RDIS)

	<ul style="list-style-type: none"> b. Content of any Heritage Conservation Plan. c. Degree of alteration to existing floor plan and dimensions. d. Extent of the loss of integrity of heritage fabric in the primary spaces such as foyers, lobbies, stairs and corridors. e. Degree of alteration to significant architectural features and finishes including skirtings, panelling, doors, picture rails, pressed metal ceilings, woodwork and wallpaper. <p>3. Works, including alterations and additions that:</p> <ul style="list-style-type: none"> a. affect the exterior of the building, if identified as a heritage value within Appendix A – Heritage Item; or b. affect the context and/or setting of the item, if identified as a heritage value within Appendix A – Heritage Items. <p>Council’s discretion is restricted to the:</p> <ul style="list-style-type: none"> a. Impact of works on the identified heritage values in Appendix A – Heritage Items; b. Content of any Heritage Conservation Plan. c. Compatibility of the design and materials with the form, proportions and fabric of the historic heritage item; d. Relationship to open space, setting and surrounds; e. Impact on significant public views; f. Extent to which any adverse effects are necessary to enable long-term use; g. Extent to which changes are reversible. 	
HH-CB-R3	<p>1. Demolition, partial demolition, relocation, defacing, destroying or dismantling of a heritage item or a component of a heritage conservation area, or relocation of a Class B Heritage item.</p> <p>Consideration will include:</p> <ul style="list-style-type: none"> a. The extent to which the heritage values including the design of any buildings and the context of heritage are likely to be retained, protected and / or enhanced. b. Whether the activity is likely to have cumulative adverse effects on heritage values. 	Discretionary (DIS)

	<ul style="list-style-type: none"> c. In the case of relocation of a heritage building, measures that may be necessary to protect the fabric of the building during relocation. d. Potential for the re-use and/or recycling of any material or heritage features from the historic building. e. Consideration of any relevant Whanganui District Council design guidelines. f. The extent and effect of any earthworks, tunnelling, digging, vibration or excavation that may destabilise the item, structure, place or area. g. The results of any consultation undertaken including any written advice obtained as follows: <ul style="list-style-type: none"> i. In the case of the Place having identified tangata whenua values, comment from the relevant iwi. ii. Any recommendations of Heritage New Zealand Pouhere Taonga, and the New Zealand Archaeological Association File Keeper. iii. Where the Place history indicates that there may be historical artefacts or other physical remains, any advice obtained from a suitably qualified and experienced archaeologist. <p>Note: All advice obtained is to be provided to the Council with the resource consent application.</p> h. The reasons for the proposed activity and reasons why the alternative less adverse options for achieving the same or similar outcome have been discounted. For clarification, reasons for discounting alternative options can include amongst other matters financial cost, natural hazards, safety and technical feasibility. i. The creation and upkeep of a recording of heritage features of the building in its original Place (eg. photos of existing vistas for public record of the history of the Place). j. Any proposals to strengthen integrity and heritage value of the building, including the benefits of alterations for the purpose of implementing Building Code upgrades for seismic, fire and access purposes. k. Any proposals to strengthen or replace high risk elements, such as parapets, façade decoration and chimneys, with high quality light-weight material. l. The extent to which the proposed alterations, additions to or demolition of a scheduled heritage building have been informed by the advice of qualified professionals such as conservation architects, heritage consultants, engineers and quantity surveyors as appropriate. Such advice should include a thorough analysis of the 	
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	<p>alternative options available and the extent of professional advice obtained and should be proportional to the scale and intensity of the effects of the works being undertaken.</p>	
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Notes:

1. The Council will waive resource consent fees for restrict discretionary and discretionary activities associated with the use and development of Class A inventory items unless a zone rule is breached. Restricted discretionary and discretionary applications may be publicly notified.
2. The Council will waive resource consent fees associated with the use and development of Class B inventory items for restricted discretionary activities or discretionary activities for relocation provided the relocation results in the enhancement of the inventory item unless a zone rule is breached. Restricted discretionary activities may be publicly notified. Discretionary activities will generally be publicly notified.
3. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of a recorded, suspected or unrecorded archaeological site without the prior authority of Heritage New Zealand. Before commencing any activity that may affect an archaeological site, an authority from Heritage New Zealand must be obtained.

DRAFT

Rules – Archaeology

HH – ARCH

<p>HH-ARCH-R1</p>	<ol style="list-style-type: none"> 1. Earthworks activities on a site identified in Appendix K but is not within the buffer area, and which complies with HH-ARCH-S1. 2. Activities on sites where an Archaeological Authority has been obtained for the works. 3. Earthworks activities on sites within the North West Structure Plan and not identified in Appendix K, where a person suitably qualified in mana whenua cultural history or archaeology certifies in writing that the proposed earthworks will not damage or destroy any identifiable wāhi tapu. <p>Notes:</p> <ol style="list-style-type: none"> 1. Earthworks are also regulated in EW-Earthworks. 2. Recorded archaeological sites and wāhi tūpuna are identified on the Planning Map. 	<p>Permitted (PER)</p>
<p>HH-ARCH-R2</p>	<ol style="list-style-type: none"> 1. Earthworks activities affecting an Archaeological or Wahi Tupuna item, including buffer area, recorded in Appendix K 2. Earthworks activities on sites within the North West Structure Plan and not identified in Appendix K, except where a person suitably qualified in mana whenua cultural history or archaeology certifies in writing that the proposed earthworks will not damage or destroy any identifiable wāhi tapu. <p>In relation to 1) and 2) above, Council restricts its discretion to:</p> <ol style="list-style-type: none"> a. The extent to which individual elements of cultural heritage value are affected, and b. Any written approval obtained from mana whenua representatives. c. Mitigation measures, including measures identified in any assessment prepared under HH-ARCH-S2, to avoid, remedy or mitigate any identified adverse effects of the activity on the cultural values associated with any identified wāhi tapu. d. The location and extent of earthworks and extent of any exclusion areas, buffers or setbacks; and e. Mitigation measures, including rehabilitation planting and the plant species used in rehabilitation planting. 	<p>Restricted Discretionary (RDIS)</p>

HH-ARCH-R3	Earthworks activities listed in HH-ARCH-R2.2 that contravene standard HH-ARCH- S2.	Discretionary (DIS)
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Standards

The following standards apply to rules HH-ARCH.

HH-ARCH-S1 Archaeological Discovery Protocol

1. Where an activity disturbs any archaeological material and no Archaeology Authority exists for the work, the Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol identified in HH-ARCH-S1.2 must be followed.
2. In the event that an unidentified archaeological site is located during works, the following applies:
 - a. Work shall cease immediately at that place and within 20m around the site.
 - b. The contractor must shut down all machinery, secure the area, and advise the Site Manager
 - c. The Site Manager shall secure the site and notify the Heritage New Zealand Regional Archaeologist. Further assessment by an archaeologist may be required.
 - d. A suitably qualified archaeologist will confirm the extent of the site and advise the areas where/when works may continue.
 - e. If the site is of Māori origin, the Site Manager shall notify the Heritage New Zealand Regional Archaeologist and the appropriate groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act, Protected Objects Act).
 - f. If human remains (koiwi tangata) are uncovered the Site Manager shall advise the Heritage New Zealand Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative and the above process under (d) shall apply. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded.
 - g. Works affecting the archaeological site and any human remains (koiwi tangata) shall not resume until Heritage New Zealand gives written approval for work to continue. Further assessment by an archaeologist may be required.
 - h. Where iwi so request, any information recorded as the result of the find such as a description of location and content, is to be provided for their records.
 - i. Heritage New Zealand will determine if an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 is required for works to continue.
 - j. It is an offence under S87 of the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site without an authority from Heritage New Zealand irrespective of whether the works are permitted or consent has been issued under the Resource Management Act.

HH-ARCH-S2

Applications under HH-ARCH-R2 must be accompanied by an assessment, by a person suitably qualified in mana whenua cultural history or archaeology, confirming the location within the site of any identifiable wāhi tapu or archaeological site which:

1. assesses the impact the proposed earthworks could have on any identified wāhi tapu or archaeological site; and
2. recommends mitigation measures, including setbacks from any identified wāhi tapu or archaeological site, to preserve or otherwise protect the cultural, spiritual and historic heritage values of the identified sites; and
3. identifies opportunities for strengthening the cultural connection between mana whenua and any of the identified sites; and
4. identifies any consequential implications for the development of the site; except that no such assessment shall be required where:
 - a. a pre-existing wider assessment of the site, undertaken by a person or persons qualified in mana whenua cultural history or archaeology, has identified the location of wāhi tapu and archaeological sites and the proposal is in accordance with any recommendations of that assessment for management of those culturally significant sites; or
 - b. a pre-existing assessment of the site, undertaken by a person or persons qualified in mana whenua cultural history or archaeology, has identified the location of wāhi tapu and archaeological sites and any consequential implications for the alignment of connecting roads on adjoining sites, and the proposal is in accordance with any recommendations of that assessment for management of those culturally significant sites.

Note:

It is an offence to modify or destroy any archaeological site without an Authority from Heritage New Zealand, under the Heritage New Zealand Pouhere Taonga Act 2014. Where earthworks is proposed to take place within an archaeological site/s or area mapped and scheduled in Appendix K (Archaeological and Other Sites) or the buffer area surrounding it, the person undertaking the proposed earthworks should obtain a report from an archaeologist stating whether the archaeological site will be modified or destroyed.

COMZ – Commercial Zone

Relevant objectives (to remain unchanged).

COMZ-03

To ensure that development and activities in the central city area, maintain or enhance the high quality amenity of the area.

Development and activities have the potential to adversely affect the amenity of the central city area.

Amenity will be maintained if the characteristics that people value are maintained or enhanced.

There are characteristics common to all of the areas of the central city, and characteristics unique to the individual areas that make up the central city. There are also characteristics that, while they do not currently exist, are important to create the places that the community desire.

The characteristics, or distinguishing qualities, that contribute to the amenity of the **central city area** include:

1. The presence of heritage sites and buildings;
2. Natural and historic heritage features;
3. Good urban design;
4. Central city limits are defined by the Whanganui River and three parks and gardens;
5. Low speed vehicle movement;
6. Provision for noise associated with commercial activity are tolerated;
7. Provision for commercial signs associated with onsite activities;
8. Lively street activity;
9. Pedestrian oriented street layout, design, and quality;
10. High number of pedestrians in the streets;
11. Consolidated on-street and mid-block car parks;
12. A range of transport option.

In addition to the characteristics of the central city, **the central commercial area** has particular characteristics, or distinguishing qualities, that include:

1. Buildings built to a high standard, up to the street frontage, with no gaps between them, reflecting the historic rhythm, and predominantly with verandahs over the footpath;
2. Commercial activity reliant on pedestrian movement.

In addition to the characteristics of the central city, **the old town area** has characteristics, or distinguishing qualities, that include:

1. A mix of boutique, commercial and arts activities reliant on pedestrian movement;
2. Buildings built to a high standard, up to the street frontage, reflecting the historic rhythm and with no gaps between them.

In addition to the characteristics of the central city, the **riverfront area** has characteristics, or distinguishing qualities, that include:

1. Visual and physical connections with the Whanganui River;
2. Riverbank shared pathway connection;
3. Connects to Moutoa Gardens/Pakaitore, Queens Park/Pukenamu and the central city.
4. Commercial activity reliant on pedestrian movement;
5. Public open space;
6. Public open space is used for events and activities.

Relevant policies (to remain unchanged)

COMZ-P2

Define a Central Commercial Zone with the following characteristics:

1. The presence of heritage sites and buildings;
2. Natural and historic heritage features;
3. Good urban design;
4. Central city limits are defined by the Whanganui River and three parks and gardens;
5. Low speed vehicle movement;
6. Provision for noise associated with commercial activities are tolerated;
7. Provision for commercial signs associated with onsite activities;
8. Lively street activity;
9. Pedestrian oriented street layout, design, and quality;
10. High number of pedestrians in the streets;
11. Consolidated on-street and mid-block car parks;
12. A range of transport options;
13. Buildings built to a high standard, up to the street frontage, with no gaps between them, reflecting the historic rhythm, and predominantly with verandahs over the footpath; and
14. Commercial activities reliant on pedestrian movement.

COMZ-P4

Define an Arts and Commerce Zone with the following characteristics:

1. The presence of heritage sites and buildings;
2. Natural and historic heritage features;
3. Good urban design;
4. Central city limits are defined by the Whanganui River and three parks and gardens;
5. Low speed vehicle movement;
6. Provision for noise associated with commercial activities are tolerated;
7. Provision for commercial signs associated with onsite activities;
8. Lively street activity;
9. Pedestrian oriented street layout, design, and quality;
10. High number of pedestrians in the streets;

11. Consolidated on-street and mid-block car parks;
12. A range of transport options;
13. Buildings built to a high standard, up to the street frontage, reflecting the historic rhythm and with no gaps between them; and
14. Community and educational activities, including UCOL.

COMZ-P17

To maintain and enhance amenity values in identified parts of the Central Commercial Zone by:

1. Reinforcing the character of the existing built form with regard to height, proportion, mass, rhythm, building detail, scale, materials and overall character;
2. Providing for new developments, alterations and additions that take account of the role the structure will play with respect to its overall form, street facade and detail; and
3. Encouraging new and innovative design where the design is sympathetic with and complementary to streetscape values.

COMZ-P19

To require high quality design outcomes in the town centre which adhere to the Whanganui Town Centre Design Guidelines, in particular, new development and additions or alterations to existing buildings are expected to:

1. Acknowledge, and respond to, the context of the site and the surrounding environment;
2. Create visual interest and be in keeping with streetscape values;
3. Address cultural and built heritage values and design elements;
4. Create a vibrant, active pedestrian environment of human scale;
5. Incorporate new and innovative design; and
6. Take into account sustainable building design and Crime Prevention through Environmental Design (CPTED) principles.

Proposed Amendments to Rules

New text is denoted by underscore.

Deleted text is denoted by ~~strike through~~.

Rules – Arts and Commerce Zone

HH-AC-R1	...	Permitted (PER)
HH-AC-R2	<p>1. Any permitted activity which does not comply with an Arts and Commerce Zone standard.</p> <p>Council restricts its discretion to:</p> <ol style="list-style-type: none"> a. The effect of the particular non-compliance on the environment, including the cumulative or combined effect of non-compliance. <p>2. Construction of new buildings.</p> <p>3. External alterations and additions to buildings, <u>including demolition, partial demolition or relocation.</u></p> <p>In relation to 2) and 3) above, Council restricts its discretion to:</p> <ol style="list-style-type: none"> a. Whether the application is consistent with the intention of the Whanganui Town Centre Design Guidelines (Appendix G). A Design Assessment is required for each consent application proposing external works which demonstrates how the development responds to the guidelines. b. <u>The extent to which the new or replacement building gives effect to COMZ-P4.</u> 	Restricted Discretionary (RDIS)
HH-AC-R3	...	Discretionary (DIS)

Rules – Riverfront Zone

HH-RF-R1	...	Permitted (PER)
HH-RF-R2	...	Controlled (CON)
HH-RF-R3	<p>1. Any permitted activity which does not comply with a Riverfront Zone standard.</p> <p>Council restricts its discretion to:</p> <ol style="list-style-type: none"> a. The effect of the particular non-compliance on the environment, including the cumulative or combined effect of non-compliance. <p>2. Market activities that do not comply with the permitted activity standards specified in COMZ-RF-S5, or any other relevant zone rules.</p> <p>3. Construction of new buildings.</p> <p>4. External alterations and additions to buildings, <u>including demolition, partial demolition or relocation.</u></p> <p>In relation to 3) and 4) above, Council restricts its discretion to:</p> <ol style="list-style-type: none"> a. Whether the application is consistent with the intention of the Whanganui Town Centre Design Guidelines (Appendix G). A Design Assessment is required for each consent application proposing external works which demonstrates how the development responds to the guidelines. b. <u>The extent to which the new or replacement building gives effect to COMZ-P5.</u> 	Restricted Discretionary (RDIS)
HH-RF-R4	...	Discretionary (DIS)

Rules – Central Commercial Zone

HH-CC-R1	...	Permitted (PER)
HH-CC-R2	...	Controlled (CON)
HH-CC-R3	<p>1. Any permitted activity which does not comply with a Central Commercial Zone standard.</p> <p>Council’s discretion is restricted to:</p> <ol style="list-style-type: none"> a. The effect of the particular non-compliance on the environment, including the cumulative or combined effect of non-compliance. <p>2. Construction of new buildings.</p> <p>3. External alterations and additions to buildings, <u>including demolition, partial demolition or relocation.</u></p> <p>In relation to 2) and 3) above, Council restricts its discretion to the following matters:</p> <ol style="list-style-type: none"> a. Whether the application is consistent with the intention of the Whanganui Town Centre Design Guidelines (Appendix G). A Design Assessment is required for each consent application proposing external works which demonstrates how the development responds to the guidelines. b. <u>The extent to which the new or replacement building gives effect to COMZ-P2.</u> <p>4. Any activity or development in the Maria Place to ...</p>	Restricted Discretionary (RDIS)
HH-CC-R4	...	Discretionary (DIS)

The following text is proposed to be moved from HH – Historic Heritage to SASM – Sites and Areas of Significance to Māori with no alterations to the text. These provisions will be reviewed at a later date along with the other provisions of the SASM chapter.

SASM – Sites and Areas of Significance to Māori

Tangata Whenua Cultural Values

Council recognises a need to be better informed about tangata whenua cultural values and traditions, in order to understand and assess the potential effects of use and development. Māori values and traditions in this context include the need to protect sites of significance, manage the use of natural and physical resources according to spiritual and cultural values.

Statutory Acknowledgements are one way that sites of significance are formally recorded. Such acknowledgements place obligations on a range of statutory decision makers including the Whanganui District Council.

The Te Awa Tupua settlement has accorded the Whanganui River legal status as Te Awa Tupua, a living and indivisible whole with innate values called Tupua te Kawa. Tupua te Kawa are the intrinsic values that represent the essence of Te Awa Tupua, those values will logically guide all interactions in relation to the health and wellbeing of the Whanganui River and its tributaries for the future.

For Ngaa Rauru Kiihahi their cultural, spiritual, historical and traditional association with the Nukumaru Recreation Reserve is acknowledged. For Ngāti Apa their cultural, spiritual, historical and traditional association with Ruakiwi as well as parts of the Whangaehu River and Mangawhero River is acknowledged.

Council recognises the potential value of establishing processes such as Mana Whakahono a Rohe to facilitate and formalise iwi participation and appropriate Council consideration of cultural values and traditions to ensure that use and development of natural and physical resources will achieve the purpose of the Act, particularly sections 6(e) and (f).

The purpose of Mana Whakahono a Rohe is to provide a mechanism for councils and iwi to come to agreement on ways tangata whenua may participate in RMA decision-making, and to assist councils with their statutory obligations to tangata whenua under the RMA.

Ngaa Rauru Kiihahi have formalised an intention, through their Puutaiao Management Plan, to assist territorial authorities and other agencies in resource management processes and to assess how Ngaa Rauru Kiihahi values and interests are affected by environmental policy and resource use activities. To this end, they signal a commitment to building their internal capacity and capability to enable full participation in the resource management arena.

Whanganui

Connections between tangata whenua and the local environment are known to have existed before the arrival of the Polynesian explorer, Kupe. From that time to the present day the inter-dependence between tangata whenua and their environment has resulted in the development of a sophisticated value system.

Tangata Whenua (whānau, hapū and iwi) of the Whanganui District share strong connections; being links between past and present; between individuals and their kin groups; and between kin groups. Whanganui is an ancestral landscape for tangata whenua, in which the Whanganui River is the dominant feature. To Whanganui Iwi the River is the people who have lived there for generations and is commonly heard expressed as:

*I rere mai te awa nui mai i te Kahui Maunga ki Tangaroa
Ko au te awa,
Ko te awa ko au.*

*For as long as the great river has run its course from the noble assemblage of ancestral
mountains to the sea
I am the river
and the river is me.*

The tribal estates of Ngaa Rauru Kiihahi and Ngāti Apa extend into this District and overlay boundaries with iwi of the lower reaches of the Whanganui River. All whānau, hapū and iwi who claim mana whenua in the Whanganui District are recognised by this Plan.

Whanganui was the second New Zealand Company settlement in the country, Wellington having been the first. Whanganui city still retains a very coherent collection of late nineteenth and early twentieth century buildings, with the Old Town as the core. This concentration of significant heritage buildings is rare in New Zealand and represents an important part of the historic heritage resource of the district.

Given the long history of settlement, much of the Old Town and other parts in the district are effectively historical areas comprising particular cultural values, wāhi tapu, wāhi tūpuna and archaeological sites.

Objectives

SASM-O1

Protect recorded and discovered wāhi tapu from activities (including earthworks, road building and the construction of buildings) that have the potential to adversely affect the cultural, spiritual and historic heritage values of those wāhi tapu.